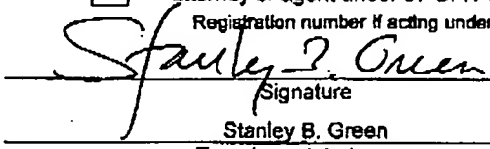


PTO/SB/22 (08-04)

Approved for use through 7/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)		Docket Number (Optional) 21736-00012-US	
Application Number 09/397,008-Conf. #8228		Filed September 15, 1999	
For ASCENDING BID AUCTION FOR MULTIPLE OBJECTS			
Art Unit 3628		Examiner Poinvil, Frantzy	
This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.			
The requested extension and fee are as follows (check time period desired and enter the appropriate fee below):			
	Fee	Small Entity Fee	
<input type="checkbox"/> One month (37 CFR 1.17(a)(1))	\$110.00	\$55.00	\$
<input type="checkbox"/> Two months (37 CFR 1.17(a)(2))	\$430.00	\$215.00	\$
<input checked="" type="checkbox"/> Three months (37 CFR 1.17(a)(3))	\$980.00	\$490.00	\$ 490.00
<input type="checkbox"/> Four months (37 CFR 1.17(a)(4))	\$1,530.00	\$765.00	\$
<input type="checkbox"/> Five months (37 CFR 1.17(a)(5))	\$2,080.00	\$1,040.00	\$
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.			
<input type="checkbox"/> A check in the amount of the fee is enclosed.			
<input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.			
<input checked="" type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account.			
<input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number <u>22-0185</u> . I have enclosed a duplicate copy of this sheet.			
I am the <input type="checkbox"/> applicant/inventor.			
<input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71.			
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).			
<input type="checkbox"/> attorney or agent of record. Registration Number _____			
<input checked="" type="checkbox"/> attorney or agent under 37 CFR 1.34(a).			
Registration number if acting under 37 CFR 1.34(a) <u>24,351</u>			
		<u>October 8, 2004</u>	
Signature		Date	
<u>Stanley B. Green</u>		<u>(202) 331-7111</u>	
Typed or printed name		Telephone Number	
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below			

/2004 SWILLIAM 00000001 220185 09397008

Ref: 00000001 DAN: 220185 09397008

:2253 490.00 DA

1 forms are submitted.

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OCT 14 2004

Docket No.: 21736-00012-US
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Lawrence M. Ausubel

Application No.: 09/397,008

Confirmation No.: 8229

Filed: September 15, 1999

Art Unit: 3628

For: ASCENDING BID AUCTION FOR MULTIPLE
OBJECTS

Examiner: Poinvil, Frantzy

NOTICE OF APPEALCommissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby appeals to the Board of Appeals from the decision of the Patent Examiner dated April 9, 2004, rejecting claims 108-059 of the above-identified patent application. The April 9, 2004 Action was the second rejection in the application.

REMARKS

A Restriction Requirement was issued in this application on December 24, 2003.

Applicant believed the Restriction Requirement was improper and responded with an election and traverse of the Restriction Requirement.

On April 9, 2004, an Office Action was issued following Applicant's response to the Restriction Requirement. Contrary to the requirements of 37 CFR 1.143, this Office Action following the Restriction Requirement did not reconsider the Restriction Requirement and/or make the Restriction Requirement final. Indeed, for all that can be gleaned from the April 9, 2004 Office Action, the only claims mentioned in the Action were those claims elected by the Applicant.